

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MARIE CHRISTINE FANYO-PATCHOU,
14 RODRIGUE FODJO KAMDEM, and,
15 CHRISTIAN FREDY DJOKO,

Defendants.

CASE NO. CR19-0146-JCC

ORDER

16 This order follows an April 7, 2021 status conference where counsel for the Government
17 and for Ms. Fanyo-Patchou and Mr. Djoko agreed that in light of the complexity of this case,
18 trial should be continued until December 13, 2021. Those parties also agreed that the Court
19 should impose the additional pretrial deadlines set forth in Defendants' joint memorandum (Dkt.
20 No. 234). Mr. Kamdem continues to object to any further continuance. In addition, as it has for
21 the past several months, the COVID-19 pandemic continues to impact the Court's operations.
22 (See W.D. Wash. General Orders 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20, 18-20, 04-21
23 each of which the Court incorporates by reference.) Specifically, the pandemic has made it
24 difficult for the Court to obtain an adequate spectrum of jurors to represent a fair cross section of
25 the community, and public health guidance has impacted the ability of jurors, witnesses, counsel,
26 and Court staff to be present in the courtroom. (See generally *id.*) Although the availability of a

1 vaccine makes it likely that the Court will be able to resume in-person criminal trials in May
2 2021, the Court will continue to be limited by public health measures, such as limits on the
3 number of people in the courthouse and courtrooms, which are likely to limit the Court's ability
4 to try cases as efficiently as it would absent a pandemic. (See W.D. Wash. General Order 04-21
5 at 2.) Accordingly, the Court FINDS that the ends of justice served by granting a continuance
6 outweigh the best interests of Defendants and the public to a speedy trial. *See* 18 U.S.C.
7 § 3161(h)(7)(A). The reasons for this finding are:

1. This case is unusual and complex due to the number of defendants, novel questions of
2 law, and the potential need for foreign witnesses, so it is unreasonable to expect
3 adequate preparation for trial by the current trial date. *See* 18 U.S.C. §
4 3161(h)(7)(B)(ii).
5. The COVID-19 pandemic has made it difficult for the Court to obtain an adequate
6 spectrum of jurors to represent a fair cross section of the community, which would
7 likely make proceeding with the current trial date impossible or would result in a
8 miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
9. Public health guidance has impacted the ability of jurors, witnesses, counsel, and
10 Court staff to be present in the courtroom. Therefore, proceeding with the current trial
11 date would likely be impossible or would result in a miscarriage of justice. *See* 18
12 U.S.C. § 3161(h)(7)(B)(i).

13 Accordingly, the Court ORDERS:

1. Trial is CONTINUED until December 13, 2021 at 9:30 a.m.
2. The period from the date of this order until December 13, 2021 is an excludable time
3 period under 18 U.S.C. § 3161(h)(7)(A).
4. The parties shall comply with the pretrial deadlines included in the Defendant's joint
5 memorandum filed at Docket Number 234.

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1 DATED this 8th day of April 2021.
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7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
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